

Tennessee Opioid Abatement Council

DATE & TIME

December 5, 2022 at 11:30 - 3:00CT

11:30CT: lunch provided for council members

12:00EC: meeting starts

LOCATION

West Tennessee Healthcare

620 Skyline Dr. Jackson, TN 38301

City / County Boardroom

CONVENED BY

Dr. Stephen Loyd, Council Chair

Tennessee Opioid Abatement Council Office

Mary Shelton, Executive Director

For more information, please visit the Opioid Abatement Council Webpage at:
<https://www.tn.gov/behavioral-health/oac.html>

This meeting is held in accordance with Tennessee Open Meetings Act

Please contact Mary.Shelton@tn.gov for information about the council meetings

AGENDA

12:00 Welcome, Introductions & Check-in

[Steve & Commissioner Marie Williams]

12:10 Review & Approval of September minutes

[Steve]

12:15 Review of Council Accomplishments

[Steve]

- Revised Remediation List
- Decision Points
- Vision

12:20 Administrative Updates from Executive Director

[Mary]

- Conflict of Interest Statements
- OAC Binders
- OAC staff positions
 - Project Administrator
 - Program Manager
- Travel expense form
- OAC Website
- Conflict of Interest form

12:30 Sunset Hearing Update

[Steve & Mary]

12:40 Fiscal Update

[Mary]

- Update on the funds received into the Opioid Abatement Trust

12:50 Work of the Council

[Steve]

Community Grantee Application Process Workgroup

[Application Subcommittee: Stephanie, Clay, Karen and Shayne]

- Presentation of the application and scoring rubric

1:30 BREAK

1:45 Work of the Council, continued

[Dr. Loyd]

1. Outside Parties Presentations to the Opioid Abatement Council

Review Tenn. Code Ann. § 33-11-105(a): Opioid Abatement Council statutes provide that *before the Council makes a decision regarding the disbursement of funds*, the Council shall receive input from:

(1) the department's statewide planning and policy council's need assessment process, which is conducted with the assistance of seven (7) regional planning and policy councils, **and**

(2) allow for comment and input from community stakeholders, local governments, state and local public health officials, public health advocates, law enforcement and judiciary representatives, opioid remediation service providers, and other parties interested and actively involved in addressing the opioid crisis and its abatement.

Overview of the TDMHSAS Policy and Planning Council: Kurt Hippel, Assistant Commissioner, Research, Planning, Policy & Legislation [Needs Assessment \(tn.gov\)](#)

Discussion and Decision Points: Developing a process and subsequent policy regarding how to receive input from these parties

2. County Grantee Application Submission Process

In order to disburse the 1st payment to the counties by early Q12023, The Council Chair and Executive Director are proposing using platforms and systems currently available within TDMHSAS and the State of Tennessee.

Proposed Process:

- TDMHSAS Opioid Abatement Office will send a Request for Information to each County Mayor based on contact information from David Conner, Executive Director, Tennessee County Services Association.
- Each County Mayor will enter their contact information, certify that they will use the Tennessee Remediation List, sign the Letter of Authorization, and agree to Reporting Requirements.
- The funding for each county will be loaded in TDMHSAS Budget Contract Management System under the new OAC budget code. This will initiate the payment from Edison.
- Edison will pay the counties.
- The Comptroller will use a new and unique account code for the Opioid Abatement funds in order for the counties to track the funds

Discussion and Decision Points:

- 1) Discussion and approval of the process developed within TDMHSAS to manage the first payment to the counties.
- 2) Does the Council wish to develop rules and time limitations for the use of medication assisted therapies in treating OUD that are paid for through the fund (T.C.A. 33-11-103(s))?
- 3) Does the Council wish to create a timeline for monies paid to the counties to revert back to the opioid treatment fund if they are not used within a certain period by a county (T.C.A. 33-11-103(s))?

2:50 Next Council meeting:

[Steve]

- When? Middle TN location?

3:00 Adjourn

Tennessee Opioid Abatement Council

Public-facing talking points

Prepared for the council members

December 2022

Leadership & Council

- The Council Chair is Dr. Stephen Loyd
- The Executive Director is Mary Shelton
- There are 15 council members, including the chair
- The Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) Commissioner Marie Williams serves as a non-voting member
- The Opioid Abatement Council is located within TDMHSAS

Meetings

- The Council meets at least quarterly each year, moving around the 3 grand regions.
- The meetings are open to the public and there is extra seating at each meeting for guests
- We are offering a virtual meeting option for guests and the link phone number are posted on the website
- Notification about the meetings will be listed on the Opioid Abatement Council website
- Meeting minutes are posted on this website

Additional Information

Information on the Opioid Abatement Council may be found on the TDMHSAS website at:

<https://www.tn.gov/behavioral-health/oac.html>

Accomplishments

- Revised and approved the Remediation List (list of strategies for opioid abatement) for use by the counties and by community applicants for the received funds from the TN Opioid Trust Fund
- Formed a sub-committee to create the community application process
- Submitted the Opioid Abatement Council Annual Report on September 30, 2022
- Sunset Hearing for the Opioid Abatement Council on November 30, 2022

Next Steps

- Meet with all 95 counties with the Tennessee County Services Association to explain the information gathering and certification process
- On-boarding 2 staff for the Opioid Abatement Council Office starting December 5, 2022

Tennessee Opioid Abatement Council Meeting		
Date	December 5, 2022	
Time	12:00pm-3:00pm CT	
Location	West TN Healthcare, Jackson, TN City / County Boardroom	
<p>Council Members Present in Person: Stephen Loyd, Armando Fontes, Clay Jackson, Thomas Farmer, Karen Pershing, Charme Allen, Brian Buuck, Wayne Wykoff, Timothy Fournet, Ken Moore, Stephanie Vanterpool (via video-conference), Lisa Tipton (via video-conference).</p> <p>Absent: Mike Flynn, Casey Cox</p> <p>Guests: Leann Human Hillard, Jill Rathburn, Jennifer Tourville, Holly Kirby, Tausha Alexander, Walter Williams, Julia van Zyl, Jeremy Kourvelas, Jimmie Jackson, Sara Hawkins, Sarah Dietrich, Steve Harden, Stanton Elseandims, Linda Pledge, Richard Barber, Mary Linden Salter, Karen Morgan</p> <p>Staff: Mary Shelton, Jessica Youngblom, Taryn Sloss, Kurt Hippel, Sam Boukli (via video-conference)</p>		
Presenter	Topic	Discussion
S. Loyd	Welcome, Introductions & Check-in	S. Loyd asked the Council members to introduce themselves.
S. Loyd	Reflection	S. Loyd shared a story of a lady he treated with medication assisted treatment and issues within the treatment continuum.
T. Sloss	Introduction & Reflection	T. Sloss introduced herself as the Assistance Commission for Substance Abuse Services. She is Commissioner Williams' designee for today's meeting. She shared that there is more work to do to decrease the overdose deaths.
S. Loyd	Review & Approval of September minutes	There were no edits proposed for the minutes. Minutes were approved.
S. Loyd	Review of Council Accomplishments	Approved the Remediation List, learning about the treatment eco-system, creation of the Application Process Subcommittee
S. Loyd	Creation of an Application or Certification Process for Counties	<p>Later in the meeting the OAC will discuss an application and certification process for the counties and discuss what is allowable on the Remediation List.</p> <p>We want to get legal opinion on is there an option for counties to use the funds on programs not on the Remediation List. We will carry this forward and get a legal opinion</p>

		and bring it back to the OAC at the next meeting.
S. Loyd	Sunset Hearing Overview	Appreciation to the Council members who attended the Sunset Hearing. The Government Operations Committee approved the Opioid Abatement Council for 2 more years, and then we return for another hearing.
S. Loyd and Council	Discussion and Decision Point OAC Vision	<p>S. Loyd proposed adopting the Vision as it is written.</p> <p>S. Vanterpool requested a modification to add patients with chronic pain.</p> <p>To approve and allocate the dollars through the Opioid Trust Fund so that Tennesseans struggling with opioid addiction or chronic pain find relief and pathways of recovery to bring hope and restoration through effective and transparent work for all Tennesseans, which will bring prevention and support for those families impacted by opioid use disorder.</p> <p>A motion was made and was carried unanimously</p>
M. Shelton	Administrative Updates from Executive Director	<p>Discussed the OAC Binders, future OAC staff positions, W-9's, Travel expense form, OAC Website</p> <p>Brief discussion on the Conflict of Interest statement and the need to stay transparent given the close oversight of the states' abatement programs.</p> <p>Fiscal update with the current balance in the Opioid Abatement Trust Fund at \$43,852,576.46.</p>
S. Vanterpool C. Jackson K. Pershing S. Sexton	Community Grantee Application Process Workgroup	The Subcommittee met twice since the last OAC meeting to create processes and guidelines for a transparent but effective application process.

	<p>An overview of the application process guidelines, approved opioid abatement strategies, proposed funding buckets, rubric for application evaluation, decisions for procedures and options for the notice of funding opportunity were reviewed and discussed.</p> <p>Discussion that there will need to be multiple subcommittees to evaluate the applications which are received.</p> <p>It was proposed that the OAC Office would conduct an initial vetting of the application, then delegate to a Subcommittee of the OAC.</p> <p>A proposed 5-month cycle was discussed to ensure enough time is dedicated to review and score the applications.</p> <p>Discussed the separating the applications as small caps with an annual budget under \$1m and large caps with annual budgets over \$1m.</p> <p>Many of the decisions on how to move through the process may be determined by the number of applications which are received.</p> <p>A request for a spreadsheet which shows the budget projections for the Opioid Abatement Trust fund over the next 4-5 years would be helpful.</p> <p>Discussion on how to categorize applications if the services intended are both prevention and treatment and we may need to use their proposed budget to make that determination.</p>
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		<p>Discussion on the allocation of percentages to the categories in the Remediation List.</p> <p>The idea of the OAC Office hiring a Grants Coordinator was discussed.</p> <p>Discussion on the timeframes and frequencies for opening up the applications.</p> <p>OAC Office stated that around July is a good target date for opening applications based on operational needs at TDMHSAS. At this point, needs for additional positions is unknown and 2 staff are about to start working for the OAC Office.</p> <p>Discussion on collecting metrics and reporting.</p> <p>Applicants need to be aware of what other programs in the community and how they will connect with existing programs.</p> <p>Discussion on the length of the application and how to provide guidance for what is expected.</p> <p>The OAC Office plans to use existing programs in TDMHSAS to manage the budget and contracts.</p>
S. Loyd and Council	Discussion & Decision Point Community Funding Allocations	<p>Motion to accept the proposed funding allocations as listed by the Subcommittee. There was discussion on that the percentages may need revisiting later in the future.</p> <p>The motion carried.</p>
S. Loyd and Council	Discussion & Decision Point Scoring Rubric	<p>Motion to accept the proposed scoring rubric in whole as a guideline as created by the Subcommittee.</p> <p>There was discussion on applicants submitting financial statement, a budget.</p> <p>The motion carries.</p>

S. Loyd	Publicizing Requests for Proposals	Discussion that once the application is posted there will be a press release and a contact person if the applicant has questions.
S. Loyd	Work of the Council	Outside Parties Presentations to the Opioid Abatement Council
K. Hippel	Presentation: TDMHSAS Policy and Planning Council	<p>Councils and Committees consist of mental health and substance abuse service providers, consumers, family members, advocates and other stakeholders.</p> <p>7 Regional Councils and Statewide Council, which administers/partners with several committees, including the Adult Committee, the Children’s Committee, and Consumer Advisory Board.</p> <p>All Councils and Committees meet quarterly.</p> <p>The Tennessee Department of Mental Health and Substance Abuse Services completes an annual assessment of need in order to prioritize programming.</p> <p>TDMHSAS ensures that the most relevant needs are prioritized by asking the Statewide and Regional Planning and Policy Councils to complete an annual Needs Assessment.</p> <p>Each Spring, the seven Regional Planning and Policy Councils as well as the Statewide Planning and Policy Council’s Committees (Adult, Children’s, and Consumer Advisory Board) work independently to identify and prioritize up to three mental health and three substance abuse needs. 2022 Needs Assessment Summary.</p>
Council	Discussion on the Policy and Planning Council	Request that the Needs Assessment information be posted on the OAC website as part of the application process

S. Loyd and Council	Discussion and Decision Point Planning and Policy Council	A motion for the Planning and Policy Council to provide information on the Needs Assessment to the OAC on an annual basis around late May. The motions carries.
S. Loyd and Council	Discussion on allowing input from community stakeholders Discussion and Decision Point	Discussion on the intent of the requirement, the Council meetings are open to the public, and there is an informal mechanism to allow the public to speak at the end of the meetings. Discussion on recording the meetings and the requirements of the Sunshine Law. Request to build out a Contact Us page on the OAC website. A motion for creating a place for public comments on the OAC website via a Contact Us page. The motion carries.
S. Loyd and Council	Discussion and Decision Point County Payment Process	Discussion and approval of the process developed within TDMHSAS to manage the first payment to the counties. TDMHSAS Opioid Abatement Office will send a Request for Information to each County Mayor based on contact information from David Conner, Executive Director, Tennessee County Services Association. Each County Mayor will enter their contact information, certify that they will use the Tennessee Remediation List, sign the Letter of Authorization, and agree to Reporting Requirements. The funding for each county will be loaded in TDMHSAS Budget Contract Management System under the new OAC budget code. This will initiate the payment from Edison.

		<p>Edison will pay the counties.</p> <p>The Comptroller will use a new and unique account code for the Opioid Abatement funds in order for the counties to track the funds</p> <p>The motion carries.</p>
	<p>Discussion and Decision Point Community Application Timeline</p>	<p>Discussion on the Community Application timeline:</p> <ul style="list-style-type: none"> • Application Deadline Month Day, 20xx • Initial Vetting Ends ____ (30 days) • Subcommittee Review ____ (30 days) • Full OAC Decision____(45 days) <p>The motion carries.</p>
	<p>Discussion on Large Cap and Small Cap</p>	<p>Bring this discussion item to the next OAC meeting.</p>
	<p>Discussion on the timeline for medication assisted therapy/ treatment</p>	<p>Does the Council wish to develop rules and time limitations for the use of medication assisted therapies in treating OUD that are paid for through the fund (T.C.A. 33-11-103(s)?</p> <p>Discussion that the OAC doesn't need to reconstitute the work of the State Medicaid Board and there are guidelines for medication assisted treatment in place.</p>
	<p>Discussion and Decision Point Timeline on monies reverting back</p>	<p>Does the Council wish to create a timeline for monies paid to the counties to revert back to the opioid treatment fund if they are not used within a certain period by a county (T.C.A. 33-11-103(s)?</p> <p>A motion for the allocation of funding within two years and spending the funding within four years was finalized.</p> <p>The motion carries.</p>

	Update on work with Tennessee County Association Services	S. Loyd and M. Shelton are working closely with D. Connor and the counties. We will participate in an upcoming webinar in February with the counties to explain the funding process.
S. Loyd	Next Council meeting	K. Moore has offered the Franklin City Boardroom. The meeting will be either on February 27 or March 6, depending on availability of the boardroom and Commissioner Williams' calendar.
S. Loyd	Public Comment	S. Loyd asked the guests if there were any public comments and there were none.
S. Loyd	Meeting adjourned	S. Loyd adjourned the meeting at 2:52p.m.



Opioid Abatement Council Meeting

December 5, 2022

12:00pm - 3:00pm CDT

West Tennessee Healthcare

City/County Boardroom

Jackson, TN

1

Introductions & Gratitude

- Dr. Stephen Loyd - Chair, Opioid Abatement Council
- Taryn Sloss, TDMHSAS Assistance Commissioner for Substance Abuse Services



2

Review & Approval of September minutes

- Dr. Stephen Loyd



3

Council Accomplishments

Approved the Revised Remediation List

- To be used by the counties
- To be used by the community applicants

Learning about the system

- Overview of the Treatment Eco-System
- Presentation from Dr. Maranda Williams on Overdose Fatalities

Application Process Workgroup

- Identified the members
- Met twice to discuss the process
- Will present their recommendations later in the meeting

4



Administrative Updates

5

Administrative Updates

- OAC Binders
- Conflict of Interest Statements
- OAC staff positions
 - Project Administrator
 - Program Manager
- Travel expense form
 - (Inside pocket)

W-9 Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Use Form W-9 to request the taxpayer's identifying number (such as an individual's social security number or an entity's employer identification number) to report payments made to the taxpayer.

Part I - Taxpayer Information

Print or type the name of the requester.

Name of requester: _____

Print or type the name of the taxpayer.

Name of taxpayer: _____

Print or type the taxpayer's identifying number.

Identifying number: _____

Print or type the taxpayer's address.

Address: _____

Print or type the taxpayer's telephone number.

Telephone number: _____

Print or type the taxpayer's email address.

Email address: _____

STATE OF TENNESSEE CLAIM AND TRAVEL EXPENSES

EDMHSAS Office of the Comptroller

DATE: _____

TO: _____

FROM: _____

REASON FOR TRAVEL: _____

ESTIMATED EXPENSES: _____

ACTUAL EXPENSES: _____

APPROVED BY: _____

DATE: _____

• Please leave all completed forms in your binder



6

Sunset Hearing

- Thank you to these Council members for attending:
 - Tommy, Wayne, Armando, Lisa, Charne, Ken, Karen
- The Gov Ops Subcommittee approved 2 more years for the Opioid Abatement Council.
- At that time, they will call us back to hear more about our progress and operations.
- Link to the hearing Joint Government Operations Subcommittee - Education, Health, & General Welfare - Nov 30th, 2022 (granicus.com) (OAC Starts around 58 mins)



TN

7

Draft Vision for the work of the council

To approve and allocate the dollars through the Opioid Trust Fund so that Tennesseans struggling with opioid addiction find relief and pathways of recovery to bring hope and restoration through effective and transparent work for all Tennesseans, which will bring prevention and support for those families impacted by opioid use disorder.

TN

8



Fiscal Update

9

Opioid Abatement Trust Fund

- Each meeting, Mary will share the current monthly Opioid Abatement Trust Fund Statement
- Please note that the information is current to date the statement was created.



10

Budgeting the Opioid Trust Fund Dollars

Payments made into Abatement Trust Fund by end of calendar year 2022

- Payments made in calendar year 2022 are unusual because the distributors are making two payments and J&J / Janssen is making an accelerated payment for multiple years.
- Additionally, the J&J / Janssen payments are front-loaded, with larger amounts paid in the earlier year. Despite there being a ten-year payment period for J&J, more than 70% of Tennessee's share of those funds will be paid in 2022.

Company	Amount	Status/Notes
McKinsey	\$13.2 million	Paid.
Distributor	\$30.5 million	1 st payment of \$14.9 million paid 2 nd payment of \$15.6 million expected by 10/15
J&J/Janssen	\$59.7 million	Expected by 10/30 Includes accelerated payments for 2023-25
Mallinckrodt	[\$4.5 million]	Anticipated by end of year.
Total	\$107.9 million	Two distributor payments and accelerated J&J payments make 2022 totals several times higher than what will be typical year.



11

October Opioid Abatement Trust Fund Statement

Opioid Abatement Fund Activity As of the Period Ended October 31, 2022

Description	Cash	Split	Liability
McKinsey Deposit 3.31.2021	12,613,210.59	N/A	0.00
McKinsey Deposit 4.19.2022	651,080.54		
Distributor Settlement 8.12.2022 Yr. 1	14,914,621.88		
Distributor Settlement	15,674,540.42		
FY 22 Interest Earned	27,134.50		
Totals	43,880,587.93		0.00

Fund	Account	Descr	Combined	
20044	10000000	Equity in Treasurer Cash	43,880,587.93	See above
20044	34000101	Opioid Abatement_LIAB	0.00	See above
20044	68085000	Departmental Interest-FY23	0.00	Not yet received
11000	7xxxxxxx	33918 Departmental Expenses	(28,011.47)	See below
		Net Cash Available	43,852,576.46	



12



Work of the Council

13

Community Grantee Application Process Workgroup

- Slides will be provided at the Council meeting



14



15



16

1. Outside Parties Presentations to the OAC

Opioid Abatement Council statutes provide that ***before the Council makes a decision regarding the disbursement of funds***, the Council shall receive input from:

- (1) the department's statewide planning and policy council's need assessment process, which is conducted with the assistance of seven (7) regional planning and policy councils, **and**
- (2) allow for comment and input from community stakeholders, local governments, state and local public health officials, public health advocates, law enforcement and judiciary representatives, opioid remediation service providers, and other parties interested and actively involved in addressing the opioid crisis and its abatement.

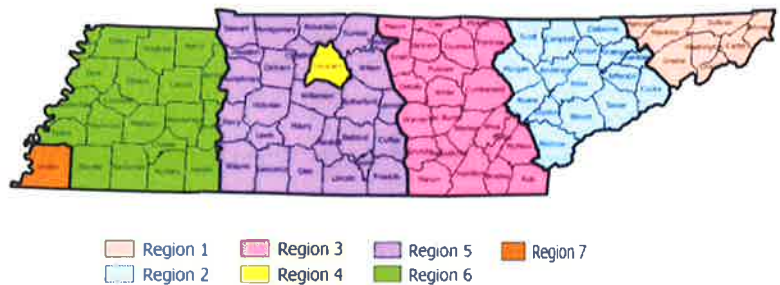


17

TDMHSAS Statewide Planning & Policy Council

- Councils and Committees consist of mental health and substance abuse service providers, consumers, family members, advocates and other stakeholders.
- 7 Regional Councils and 1 Statewide Council, which administers/partners with several committees, including the Adult Committee, the Children's Committee, and Consumer Advisory Board.
- All Councils and Committees meet quarterly

TDMHSAS Regional Council Map



18

Needs Assessment

- The Tennessee Department of Mental Health and Substance Abuse Services completes an annual assessment of need in order to prioritize programming.
- TDMHSAS ensures that the most relevant needs are prioritized by asking the Statewide and Regional Planning and Policy Councils to complete an annual Needs Assessment.
- Each Spring, the seven Regional Planning and Policy Councils as well as the Statewide Planning and Policy Council's Committees (Adult, Children's, and Consumer Advisory Board) work independently to identify and prioritize up to three mental health and three substance abuse needs. [2022 Needs Assessment Summary](#).

The process helps in two ways:

1. The planning and policy councils help identify regional needs and assets in order to influence the mental health and substance abuse system; and,
2. It provides a method for the Department to target limited state resources to more effectively and efficiently meet the identified needs.



19

2022 Needs Assessment – Multiple Region Needs

In 2022, multiple regions identified identical/similar substance abuse-related needs:

- ❖ **Increase funding/number of and access to residential & detox beds for adults and children (identified in 2016, 2017, 2018, 2019, 2020, and 2021)**
 - Regional Council 1
 - Regional Council 2
 - Regional Council 5
 - Regional Council 6
 - Regional Council 7
- ❖ **Increase prevention and school-based programs for at-risk youth (identified in 2017, 2018, 2019, 2020, and 2021)**
 - Regional Council 3
 - Regional Council 7
 - Children's Committee
- ❖ **Increase recovery housing (identified in 2016, 2017, 2018, 2019, 2020, and 2021)**
 - Regional Council 1
 - Regional Council 2
 - Adult Committee

*The TDMHSAS Planning and Budget Committee of the Statewide Planning and Policy Council acknowledges that the department has created or expanded programs to address these needs in the past and on an ongoing basis.



20



Discussion & Motion to Vote

21

TDMHSAS Planning & Policy Council

- Frequency to hear updates
- Method to receive the information



22

1. Outside Parties Presentations to the OAC

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23



Discussion &
Motion to Vote

24

Comment and input from community stakeholders

- Frequency
- Method
- Guidelines



25

2. County Grantee Application Process

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26



Discussion & Motion to Vote

27

County Grantee Application Process

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28

Next Opioid Abatement Council Meeting

- When to meet?
- Middle TN?



29



Thank you

30

